UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *15 December 2008*.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *24 and 26-42* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *24 and 26-42* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
       1. ☐ Certified copies of the priority documents have been received.
       2. ☐ Certified copies of the priority documents have been received in Application No. _____.
       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
          application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This <u>Non-Final</u> action is responsive to the RCE filed on 12/15/2008.

2.   In the continuation claims 24 and 26-42 remain pending. Claim 25 has been canceled. Claims 24, 31, 34 and 40 are the

independent claims.

Withdrawn Rejections

3.   The 35 U.S.C. 102(b) rejections of claims 24-29, 31-32, 34-38 and 40-14 with cited reference of Flowers, Jr (U.S.

5,533,174) have been withdrawn in light of the amendment.

4.   The 35 U.S.C. 103(a) rejections of claims 30, 33, 39 and 42 with cited references of Flowers, Jr (U.S. 5,533,174) in

view of Adler (U.S. 7,155,672) have been withdrawn in light of the amendment.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this

Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section
> 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the
> subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill
> in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

6.   Claims 24 and 26-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto (U.S. 7,373,140, filed

Oct 19, 2000) in view of Flowers, Jr. (U.S. 5,533,174, filed Oct 26, 1993).

Regarding Independent claim 24, A method performed by a server, comprising: (i) storing a <u>client profile, the client

profile comprising a</u> font capabilities list for each of multiple client devices, each font capabilities list comprising a list

of fonts for which the device has font structure data, the font structure data defining the structure in which text

formatted with the respective font is to be rendered; (ii) receiving text data addressed to a designated one of the

devices, the text data comprising text and font identifiers, the font identifiers identifying which fonts to use to render

the text; (iii) comparing the font identifiers in the text data with the fonts in the capabilities list of the designated

device, to determine the font identifiers for which the designated device lacks font structure data; (iv) transferring the

lacking font structure data and the text data to the designated device, wherein the device stores the received font

structure data in the client device<u>; and (v) updating the client profile with the stored font structure data.</u>

Matsumoto discloses storing a client profile defined as UAPROF (User Agent Profile) a standard of the Wireless Application Protocol which contains the agent type and device capabilities further residing in a server called a profile repository (column 1, lines 30-60). Matsumoto discloses a server that stores font information used by a wireless client and provides an only necessary font to a wireless client. Thus he teaches storing a font capabilities list which is a list of fonts stored in a font server disclosed in fig 3 numeral 5 being sent to devices based on their capabilities as determined by the UAPROF. Although Matsumoto mentions the use of identifiers between the client and server, he doesn't explicitly teach the use of font identifiers. Flower describes receiving text data addressed to a device which include text and font identifiers (see column 5, lines 5-15). Flowers discloses comparing the font identifiers in the text data with list of font capabilities in the FAF server to minimize traffic on the network using the abbreviated identification information for accessing fonts (see column 3, lines 25-45). The FAF server transfers the lacking font structure data and the text data to the device. In column 13, lines 5-10, Flowers discloses that the device stores the received font structure data in the client device. Flowers discloses in column 6, lines 1-5 that the font server responds to each request by sending the client only the requested information. Therefore it's obvious that the server refrains from transferring font structure data if the device already has the font data. Matsumoto also states in column 12, lines 25-35 that the font memories residing on the server keeps a font that has been used thereby refraining from sending font data the client already stores. Matsumoto states in column 7, lines 25-35 that the required font is stored in the wireless client. Matsumoto already discloses updating profile information residing in the user information database of fig 1 numeral 33. At the time of the invention it would have been obvious for one of ordinary skill in the art to have modified the teachings of Matsumoto to include the use of font identifiers. The motivation for doing so would have been to minimize network traffic thereby improving connection speeds by using abbreviated font specific identifier information to access the font server disclosed in fig 3 of Matsumoto.

 Regarding Dependent claim 26, with dependency of claim 24, Matsumoto discloses the server receives the text data along with attendant font structure data required to render the text data, and, in step iv, the server operatively refrains from transferring the attendant front structure data to the device in response to determining in the comparing step that the device already has the attendant font structure data (column 12, lines 25-35, including the explanation provided in the Independent claim).

Regarding Dependent claim 27, with dependency of claim 24, Matsumoto discloses requesting and receiving the lacking font structure data from a third part server (see fig 3 wherein the gateway server stores font data in a font

memory 21 and further communicates with a third part font server to obtain lacking font structure data, including the explanation provided in the Independent claim).

Regarding Dependent claim 28, with dependency of claim 24, Matsumoto fails to teach font identifiers. Flower discloses determining whether any of the font identifiers in the received text data that are not found in the font capabilities list of the designated device have equivalent counterparts that are found in the font capabilities list of the designated device (Flowers discloses in column 6, lines 1-5 that the font server responds to each request by sending the client only the requested information. Therefore it's obvious that the server refrains from transferring font structure data if the device already has the font data, including the explanation provided in the Independent claim). At the time of the invention it would have been obvious for one of ordinary skill in the art to have modified the teachings of Matsumoto to include the use of font identifiers. The motivation for doing so would have been to minimize network traffic thereby improving connection speeds by using abbreviated font specific identifier information to access the font server disclosed in fig 3 of Matsumoto.

Regarding Dependent claims 29, 32, 38 and 41, with dependency of claim 24, Matsumoto discloses further comprising a step, performed before step (i), of receiving a list of client font capabilities from each of the client devices (see column 1, lines 30-60, wherein the profile already keeps track of the device capabilities including font information, including the explanation provided in the Independent claim).

Regarding Dependent claims 30, 33, 39 and 42, Matsumoto discloses wherein the client devices are wireless mobile communication devices (see fig 3 numeral 1).

Regarding Independent claim 31, A method comprising the following steps performed by a server in the following order: (i) storing a <u>client profile, the client profile comprising a</u> font capabilities list for each of multiple client devices, each font capabilities list comprising a list of fonts for which the device has font structure data, the font structure data defining the structure in which text formatted with the respective font is to be rendered; (ii) receiving text data addressed to a designated one of the devices, the text data comprising text and font structure data for rendering the text; (iii) determining, from the stored capabilities list for the designated device, whether the device already has the font structure data; and (iv) transferring the text to the device, and operatively refraining from transferring the font structure data to the device in response to determining, in step iii, that the device already has the font structure data.

Matsumoto discloses storing a client profile defined as UAPROF (User Agent Profile) a standard of the Wireless

Application Protocol which contains the agent type and device capabilities further residing in a server called a profile

repository (column 1, lines 30-60). Matsumoto discloses a server that stores font information used by a wireless client

and provides an only necessary font to a wireless client. Thus he teaches storing a font capabilities list which is a list of

fonts stored in a font server disclosed in fig 3 numeral 5 being sent to devices based on their capabilities as determined

by the UAPROF. Although Matsumoto mentions the use of identifiers between the client and server, he doesn't

explicitly teach the use of font identifiers. Flower describes receiving text data addressed to a device which include text

and font identifiers (see column 5, lines 5-15). Flowers discloses comparing the font identifiers in the text data with list

of font capabilities in the FAF server to minimize traffic on the network using the abbreviated identification

information for accessing fonts (see column 3, lines 25-45). The FAF server transfers the lacking font structure data

and the text data to the device. In column 13, lines 5-10, Flowers discloses that the device stores the received font

structure data in the client device. Flowers discloses in column 6, lines 1-5 that the font server responds to each request

by sending the client only the requested information. Therefore it's obvious that the server refrains from transferring

font structure data if the device already has the font data. Matsumoto also states in column 12, lines 25-35 that the font

memories residing on the server keeps a font that has been used thereby refraining from sending font data the client

already stores. Matsumoto states in column 7, lines 25-35 that the required font is stored in the wireless client.

Matsumoto already discloses updating profile information residing in the user information database of fig 1 numeral

33. At the time of the invention it would have been obvious for one of ordinary skill in the art to have modified the

teachings of Matsumoto to include the use of font identifiers. The motivation for doing so would have been to minimize

network traffic thereby improving connection speeds by using abbreviated font specific identifier information to access

the font server disclosed in fig 3 of Matsumoto.

Regarding Independent claim 34, A method comprising the following steps performed by a server in the following

order: (i) storing a client profile, the client profile comprising a font capabilities list for each of multiple client devices,

each font capabilities list comprising a list of fonts for which the device has font structure data, the font structure data

defining the structure in which text formatted with the respective font is to be rendered; (ii) receiving text data

addressed to a designated one of the devices, the text data comprising text and font identifiers, the font identifiers

identifying which fonts to use to render the text; (iii) determining which of the text data's font identifiers is not found in

the designated device's font capabilities list; (iv) determining whether another font identifier exists that is the same as said not found font identifier; and (v) transferring the text data to the designated device.

Matsumoto discloses storing a client profile defined as UAPROF (User Agent Profile) a standard of the Wireless Application Protocol which contains the agent type and device capabilities further residing in a server called a profile repository (column 1, lines 30-60). Matsumoto discloses a server that stores font information used by a wireless client and provides an only necessary font to a wireless client. Thus he teaches storing a font capabilities list which is a list of fonts stored in a font server disclosed in fig 3 numeral 5 being sent to devices based on their capabilities as determined by the UAPROF. Although Matsumoto mentions the use of identifiers between the client and server, he doesn't explicitly teach the use of font identifiers. Flower describes receiving text data addressed to a device which include text and font identifiers (see column 5, lines 5-15). Flowers discloses comparing the font identifiers in the text data with list of font capabilities in the FAF server to minimize traffic on the network using the abbreviated identification information for accessing fonts (see column 3, lines 25-45). The FAF server transfers the lacking font structure data and the text data to the device. In column 13, lines 5-10, Flowers discloses that the device stores the received font structure data in the client device. Flowers discloses in column 6, lines 1-5 that the font server responds to each request by sending the client only the requested information. Therefore it's obvious that the server refrains from transferring font structure data if the device already has the font data. Matsumoto also states in column 12, lines 25-35 that the font memories residing on the server keeps a font that has been used thereby refraining from sending font data the client already stores. Matsumoto states in column 7, lines 25-35 that the required font is stored in the wireless client. Matsumoto already discloses updating profile information residing in the user information database of fig 1 numeral 33. At the time of the invention it would have been obvious for one of ordinary skill in the art to have modified the teachings of Matsumoto to include the use of font identifiers. The motivation for doing so would have been to minimize network traffic thereby improving connection speeds by using abbreviated font specific identifier information to access the font server disclosed in fig 3 of Matsumoto.

Regarding Dependent claim 35, with dependency of claim 34, Matsumoto fails to disclose font identifiers. Flower discloses wherein step iv includes determining whether another font identifier exists in the designated font capabilities list that is the same as said not found font identifier (see abstract, column 2, lines 50-67 & column3, lines 1-50 & column 4, lines 50-67 & column 5, lines 1-25 & fig 2, including the explanation provided in the Independent claim).

At the time of the invention it would have been obvious for one of ordinary skill in the art to have modified the teachings of Matsumoto to include the use of font identifiers. The motivation for doing so would have been to minimize network traffic thereby improving connection speeds by using abbreviated font specific identifier information to access the font server disclosed in fig 3 of Matsumoto.

Regarding Dependent claim 36, with dependency of claim 34, Matsumoto fails to disclose font identifiers. Flower discloses wherein step iv includes determining whether the server has font structure data for said another font identifier, and step V includes transferring said font structure data for said another font identifier to the designated device (see abstract, column 2, lines 50-67 & column3, lines 1-50 & column 4, lines 50-67 & column 5, lines 1-25 & fig 2, including the explanation provided in the Independent claim). At the time of the invention it would have been obvious for one of ordinary skill in the art to have modified the teachings of Matsumoto to include the use of font identifiers. The motivation for doing so would have been to minimize network traffic thereby improving connection speeds by using abbreviated font specific identifier information to access the font server disclosed in fig 3 of Matsumoto.

Regarding Dependent claim 37, with dependency of claim 34, Matsumoto fails to disclose font identifiers. Flower discloses wherein step iv includes determining whether another server has font structure data for said another font identifier, and obtaining said font structure data from said other server, and step v includes transferring said font structure data for said another font identifier to the designated device (see abstract, column 2, lines 50-67 & column3, lines 1-50 & column 4, lines 50-67 & column 5, lines 1-25 & fig 2, including the explanation provided in the Independent claim). At the time of the invention it would have been obvious for one of ordinary skill in the art to have modified the teachings of Matsumoto to include the use of font identifiers. The motivation for doing so would have been to minimize network traffic thereby improving connection speeds by using abbreviated font specific identifier information to access the font server disclosed in fig 3 of Matsumoto.

Regarding Independent claim 40, A method comprising the following steps performed by a server in the following order: (i) storing a font capabilities list for each of multiple client devices, each font capabilities list comprising a list of fonts for which the device has font structure data, the font structure data defining the structure in which text formatted with the respective font is to be rendered; (ii) receiving text data addressed to a designated one of the devices, the text data comprising text and font identifiers, the font identifiers identifying which fonts to use to render the text; (iii) determining which of the text data's font identifiers is not found in the designated device's font capabilities list; (iv)

requesting and receiving font structure data for said not found font identifier from another server; and (v) transferring both the text data and the font structure data for said not found font identifier to the designated device.

Matsumoto discloses storing a client profile defined as UAPROF (User Agent Profile) a standard of the Wireless Application Protocol which contains the agent type and device capabilities further residing in a server called a profile repository (column 1, lines 30-60). Matsumoto discloses a server that stores font information used by a wireless client and provides an only necessary font to a wireless client. Thus he teaches storing a font capabilities list which is a list of fonts stored in a font server disclosed in fig 3 numeral 5 being sent to devices based on their capabilities as determined by the UAPROF. Although Matsumoto mentions the use of identifiers between the client and server, he doesn't explicitly teach the use of font identifiers. Flower describes receiving text data addressed to a device which include text and font identifiers (see column 5, lines 5-15). Flowers discloses comparing the font identifiers in the text data with list of font capabilities in the FAF server to minimize traffic on the network using the abbreviated identification information for accessing fonts (see column 3, lines 25-45). The FAF server transfers the lacking font structure data and the text data to the device. In column 13, lines 5-10, Flowers discloses that the device stores the received font structure data in the client device. Flowers discloses in column 6, lines 1-5 that the font server responds to each request by sending the client only the requested information. Therefore it's obvious that the server refrains from transferring font structure data if the device already has the font data. Matsumoto also states in column 12, lines 25-35 that the font memories residing on the server keeps a font that has been used thereby refraining from sending font data the client already stores. Matsumoto states in column 7, lines 25-35 that the required font is stored in the wireless client. Matsumoto already discloses updating profile information residing in the user information database of fig 1 numeral 33. At the time of the invention it would have been obvious for one of ordinary skill in the art to have modified the teachings of Matsumoto to include the use of font identifiers. The motivation for doing so would have been to minimize network traffic thereby improving connection speeds by using abbreviated font specific identifier information to access the font server disclosed in fig 3 of Matsumoto.

It is noted that any citation [[s]] to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. [[See, MPEP 2123]]

<center>**Response to Arguments**</center>

7.   Applicant's arguments filed 12/15/2008 have been fully considered but are moot in view of the new grounds of

rejection.

<center>**Conclusion**</center>

<center>**References Cited**</center>

8.   The art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Kloba et al. (U.S. 6,553,412) discloses "System, Method, And Computer Program Product For Web Content
  Aggregation And Development, And Web Content Delivery To Clients"

- Gimson (U.S. Pub 2002/0184270) discloses "Relating To Data Delivery"

- Fogarty (U.S. 6,311,180) discloses "Method For Mapping And Formatting Information For A Display
  Device"

- Kuwata et al. (U.S. Pub 2005/0080839) discloses "System And Method For Rendering Fonts On A Network"

- Shiimori (U.S. Pub 2006/0031452) discloses "Data Communication System, And Server And Client
  Computer Constructing Said System"

- McQueen et al. (U.S. 5,586,242) discloses "Font Manager With Selective Access Of Installed Fonts"

- Shiimori (U.S. 7,010,587) discloses "Data Communication System, And Server And Client Computer
  Constructing Said System"

- Kloba et al. (U.S. 6,421,717) discloses "System, Method, And Computer Program Product For Customizing
  Channels, Content, And Data For Mobile Devices"

        Any inquiry concerning this communication or earlier communications from the examiner should be directed to

Manglesh M. Patel whose telephone number is (571) 272-5937. The examiner can normally be reached on M, W 6 am-3 pm T,

TH 6 am-2pm, Fr 9am-6pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be

reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval
(PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status
information for unpublished applications is available through Private PAIR only. For more information about the PAIR system,
see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business
Center (EBC) at 866-217-9197 (toll-free).

Manglesh M. Patel
Patent Examiner
February 27, 2009

/Manglesh M Patel/
Manglesh Patel
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| | /CESAR B PAULA/ |
| | Primary Examiner, Art Unit 2178 |